

Amendment No. 1 to HB2573

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 2564

House Bill No. 2573*

by adding the following as a new subsection (q) in SECTION 3 of the bill:

(q)

(1) Any person aggrieved by a decision of the commission respecting denial of an optional expedited authorization to operate shall have the right to a hearing and review of the decision by the commission as provided in this subsection (q).

(2) If, upon written notification of any such action taken by the commission, the aggrieved party desires a hearing and review, the party shall notify the commission, in writing, within ten (10) days after the giving of notice of the action, otherwise the action shall be deemed final.

(3) Upon receiving notice from the aggrieved party, the commission shall fix the time and place for a hearing, and shall notify the aggrieved party of the time and place of the hearing.

(4) At the hearing, the party may employ counsel, shall have the right to hear the evidence upon which the action is based and present evidence in opposition or in extenuation. Any member of the commission may preside except when a clear conflict of interest may be demonstrated.

(5) A decision of the commission following a hearing, or the failure of a party to give written notice of the desire for a hearing and review within ten (10) days, shall be deemed final and subject to the right of judicial review provided in § 49-7-2012. All matters presented by hearing as provided in this subsection (q) shall be acted upon promptly by the commission. The commission shall notify all parties in writing of its

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decision, which shall include a statement of findings and conclusions upon all material issues of fact, law or discretion presented at the hearing and the appropriate rule, order, sanction, relief, or denial thereof.

AND FURTHER AMEND by adding the following language as a new subdivision (c)(5) in SECTION 3:

(5) If applicable, documentation evidencing all requisite program approvals from other state licensing boards or commissions.

AND FURTHER AMEND by deleting subdivision (h)(2)(B) of SECTION 3 and substituting instead the following language:

(B) Notice of legal action involving the institution, or its parent entity if applicable, and Tennessee students, related to the delivery of educational programming or student or consumer practices, including class action lawsuits;

AND FURTHER AMEND by deleting subdivision (h)(5)(B) in SECTION 3 and substituting instead the following language:

(B) Job placement data;

AND FURTHER AMEND by deleting subdivision (h)(5)(A) of SECTION 3 and substituting instead the following language:

(A) Graduation rates and student-level data on enrollment and credential attainment;

AND FURTHER AMEND by adding the following language as a new subdivision (h)(5)(F) in SECTION 3:

(F) A comprehensive list of all programs offered at the institution.

AND FURTHER AMEND by deleting the first sentence in SECTION 10(b) and substituting instead the following language:

The commission may require as part of the application for initial authorization of a postsecondary educational institution criminal background checks for all owners and directors of institutions not accredited by an accrediting agency recognized by the United States department of education.